

2013 FCC MEASURING BROADBAND AMERICA PROGRAM
MOBILE TESTING AND MEASUREMENT
STAKEHOLDERS CODE OF CONDUCT

September 11, 2013

WHEREAS the Federal Communications Commission of the United States of America (FCC) is conducting a Broadband Testing and Measurement Program, with support from its contractor SamKnows, the purpose of which is to establish a mobile technical platform for Measuring Broadband America and further to use that platform to collect data;

WHEREAS the FCC has recruited subscriber volunteers who have agreed to provide mobile broadband performance information measured on their handsets to support the collection of broadband performance data; and

WHEREAS the FCC takes steps to protect the privacy of subscriber volunteers to the program's effort to measure mobile broadband performance;

WE, THE UNDERSIGNED, as participants and stakeholders in that Measuring Broadband America Program's Mobile Broadband Testing and Measurement Effort, do hereby agree to be bound by and conduct ourselves in accordance with the following principles and shall:

1. At all times act in good faith;
2. Not act, nor fail to act, if the intended consequence of such act or omission is inconsistent with the privacy policies of the program;
3. Not act, nor fail to act, if the intended consequence of such act or omission is to enhance, degrade, or tamper with the results of any test for any individual subscriber volunteer panelist or broadband provider, except that:
 - 3.1. It shall not be a violation of this principle for broadband providers to:
 - 3.1.1. Operate and manage their business, including modifying or improving services delivered to any class of subscribers that may or may not include subscriber volunteers panelists among them, provided that such actions are consistent with normal business practices, and
 - 3.1.2. Address service issues for any individual subscriber volunteer panelists at the request of the subscriber volunteer panelist or based on information not derived from the trial;
 - 3.2. It shall not be a violation of this principle for academic and research purposes to simulate or observe tests and components of the testing architecture, provided that no impact to FCC data or the Internet Service of the subscriber volunteer panelists occurs; and
4. Not publish any data generated by the tests, nor make any public statement based on such data, until such time as the FCC releases data or makes a public statement regarding any results of the tests, or except where expressly permitted by the FCC; and
5. Not publish or make use of any test data or testing infrastructure in a manner that would significantly reduce the anonymity of collected data, compromise subscriber

- volunteers privacy, or compromise the FCC privacy policy governing collection and analysis of data prior to release except that:
- 5.1. It shall not be a violation of this principle for stakeholder signatories under the direction of the FCC to:
 - 5.1.1. Make use of use of test data or testing infrastructure to support the writing of FCC Measuring Broadband America Reports on Mobile Performance;
 - 5.1.2. Make use of use of test data or testing infrastructure to support various aspects of the testing and architecture for the program including to facilitate data processing or analysis;
 - 5.1.3. Make use of use of test data or testing infrastructure to support the analysis of collected data or testing infrastructure for privacy risks or concerns, and plan for future measurement efforts;
 6. Ensure that their employees, agents, and representatives, as appropriate, act in accordance with this Code of Conduct.

Signatories: